IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
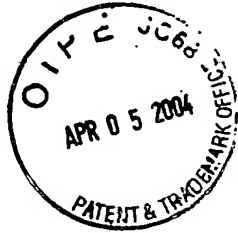
In re Application of

Peter Stouffer, et al.   :

Serial No.: 09/907,744   :   Group Art Unit: 3661

Filed: July 19, 2001   :   Examiner: Not yet assigned

Title: PROGRAMMABLE ELECTRONIC DEVICE

PETITION AND FEE TO SUSPEND RULES UNDER 37 C.F.R. § 1.183

Assistant Commissioner for Patents
Box DAC
Washington D.C. 20231

Sir:

This petition is to request the suspension of rules pursuant to 37 C.F.R. §1.183.

1.   Simultaneously herewith Applicant filed an Amendment, Petition and Fee to Delete an Erroneously Named Inventor under 37 C.F.R. §148(a) whereby Applicant petitioned that the Application be corrected by deleting Mark LaPointe as a named Inventor.

2.   Applicant has received electronic correspondence from the erroneously named Inventor setting forth the facts and establishing that he is not and should not be considered an Inventor in the above referenced Application. A copy of the electronic correspondence is attached hereto and made a part hereof.

3.   After receiving the electronic correspondence, a diligent attempt had been made to have Mr. LaPointe execute a statement that sets forth that he is not and should not be a named Inventor and that such error was made without deceptive intent on his part or on the part of the other named Inventors. Such a statement was sent to Mr. LaPointe to his electronic e-mail address on February 27, 2002. In addition, we attempted to contact Mr. LaPointe by telephone on February 27 and February 28, 2002, however, as of the date of the filing of this Petition, Applicant has not received the executed statement from Mr. LaPointe.

4.   Applicant hereby Petitions that the Amendment, Petition and Fee to Delete an Erroneously Named Inventor under 37 C.F.R. §148(a) be accepted for filing without the required statement executed by the erroneously named Inventor.

Should you have any questions or require any additional information, I encourage
you to contact me at the address and/or phone number listed below.

Respectfully submitted,

PEPPER HAMILTON LLP

James M. Singer
Registration No. 45,111

Date: February 28, 2002
Pepper Hamilton LLP
One Mellon Center
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-----Original Message-----
From: MARK LAPOINTE [mailto:yesmarklapointe@hotmail.com]
Sent: Monday, February 25, 2002 9:22 PM
To: SINGERJ@pepperlaw.com
Cc: yesmarklapointe@hotmail.com
Subject: Re: Code Alarm Documents

Dear Mr. Singer:

After much consideration of what we discussed in multiple phone
conversations and by e-mail, I have this to state:

I consider that I am not an inventor of the device described in this Code
Alarm patent application.

Here is my reasoning:
Though I was present on the design team from the start of the project, I
consider that what I worked on evolved, that is, became something other than
what it was. This may not be true in respect to the contributions of any of
the other engineers involved, but I consider it to be true for my
contribution.

I was involved in discussions, design meetings and specification reviews,
and intimately involved in the board level lay out of the first two
prototypes. But I left early on, perhaps 1/4 to 1/3 of the way to completion
of the product. The specifications were still in flux by the time I left,
features were still being added and deleted, and all of my layout work was
redone by others.

My particular contributions, while important at the time for the developing
product, were reviewed, revised, and replaced. Thus, I do not consider it
fair for me to claim to be an inventor, nor to take Code Alarm's money to
settle such a claim.

If in the future there is a legal dispute by some other party and my
testimony, written or otherwise, would be advantageous, then we can discuss
compensation for my time, effort, travel, etc.

I hope this statement is enough for your needs. If I'm going to invest any
more time right now to settle the matter, I will be looking for
compensation.

Thank you.
Mark LaPointe